



Public Notice

Applicant:

United States
Construction Corporation

Date:

Published: September 10, 2003
Expires: September 24, 2003

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-TD-R RE: 2002-02678(1) Section: OH 404**

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

United States Construction Corporation, 2785 S.E. 11th Street, Pompano Beach, Florida 33062, has requested a Department of the Army Permit to construct a new 70-slip marina in Sandusky Bay. The project is located in Sandusky Bay off of 2965 South Danbury North Road, in the City of Port Clinton, Ottawa County, Ohio.

Department of the Army authorization is required for the discharge of approximately 8,090 cubic yards of stone below the ordinary high water elevation (OHW) of Sandusky Bay (573.4 International Great Lakes Datum (IGLD) 1985), the dredging of 5,500 cubic yards of sediment from Sandusky Bay, and the installation of floating docks for the proposed marina.

A 30-day public notice regarding this project was initially published on June 24, 2003. However, in light of recent archeological findings on an upland development area adjacent to the marina project on the applicant's property, the Corps is now seeking comment in accordance with 36 CFR Part 800.4 for the Marina's Area of Potential Effect (APE) outlined on the attached Sheet 2 of 4.

A Phase I archeological survey was completed for the upland area of the applicant's property in 1999, which includes the upland portion of the APE. This report is available upon request. According to the applicant, the upland portion of the APE has had structures on it in the past, including underground septic tanks and four cottages. Also, the shoreline elevation of the property was raised approximately three feet in the 1980's by a previous owner due to flooding concerns.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Martin P. Wargo, who can be contacted by calling (716) 879-4116, or by e-mail at: martin.p.wargo@usace.army.mil

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Martin P. Wargo, or by e-mail at: martin.p.wargo@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

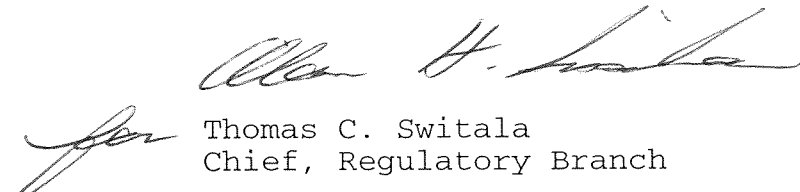
Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act subject to the limitations of Section 34 of the Historic Preservation Act, 16 U.S.C 470 et seq. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

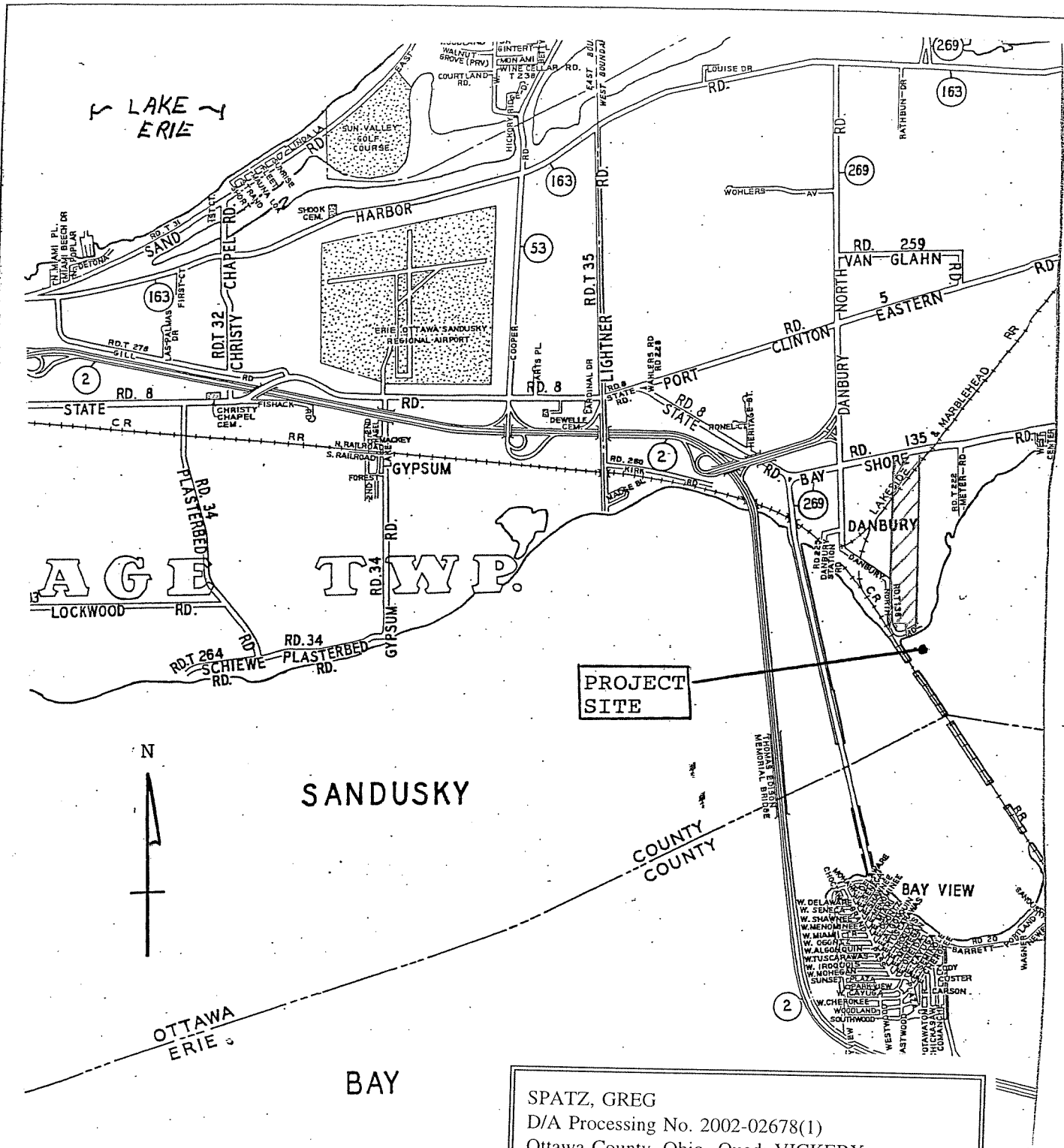
Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.


Thomas C. Switala
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 15 days from the date of issuance.



PROJECT
SITE

SPATZ, GREG
D/A Processing No. 2002-02678(1)
Ottawa County, Ohio Quad: VICKERY
Sheet 1 of 4

DATUM: 0.0 L.W.D. = 569.2 FT. I.G.L.D. 1985	VICINITY MAP	PREPARED BY: MATRIX ENGINEERING, INC.
ADAPTED FROM PROPERTY RECORDS	UNITED STATES CONSTRUCTION CORPORATION 2785 S.E. 11th STREET POMPAÑO BEACH, FLORIDA 33062	NEW MARINA AT THE COVE ON THE BAY DEVELOPMENT MARBLEHEAD, OHIO
1.) HARBOR BAY ESTATES LTD. 2.) ROY A. & MATILDA A. BAUMAN		SHEET 1 OF 6 REV. DATE 04-04-03

THE COVE ON THE BAY

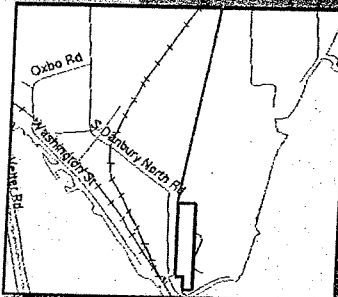
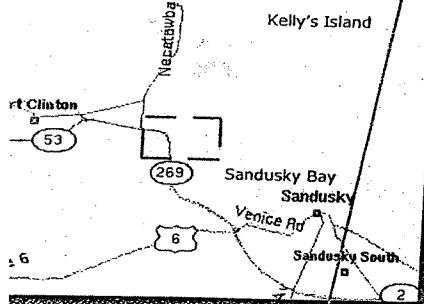
Amenities:

- Private Beach
- Private Marina
- Private Boat Dockage
- Picnic Pavilion
- Gated Access

Places of Interest:

- Cedar Point
- Soak City
- Firelands Winery
- Lagoon Deer Park
- Merry-Go-Round Museum
- Follett House Museum
- Bay Harbor Golf Dome
- Edison Birthplace
- Milan Historical Museum
- Cedar Downs
- Eleutheros Cooke House
- Maritime Museum
- Huron Amphitheater
- Huron Playhouse
- Sandusky State Theater
- Sports City
- Good Time Cruise
- Goofy Golf
- East Harbor State Park
- Catawba Island Club
- Camp Perry
- Willows Golf Course
- Train-O-Rama
- Prehistoric Forest & Mystery Hill
- Monsoon Lagoon
- Put-in-Bay
- Kelly's Island
- African Wildlife Safari Park
- Marblehead
- Perry's Cave on Put-in-Bay
- Mon Ami Historic Winery & Restaurant
- Catawba Vineyards
- Island Adventure
- Rutherford B. Hayes Home & Museum

LAKE ERIE



Affordable Waterfront Property

Sandusky Bay is one of the largest protected waterways in the Great Lakes Region. Port Clinton is the Walleye Capital of the World.

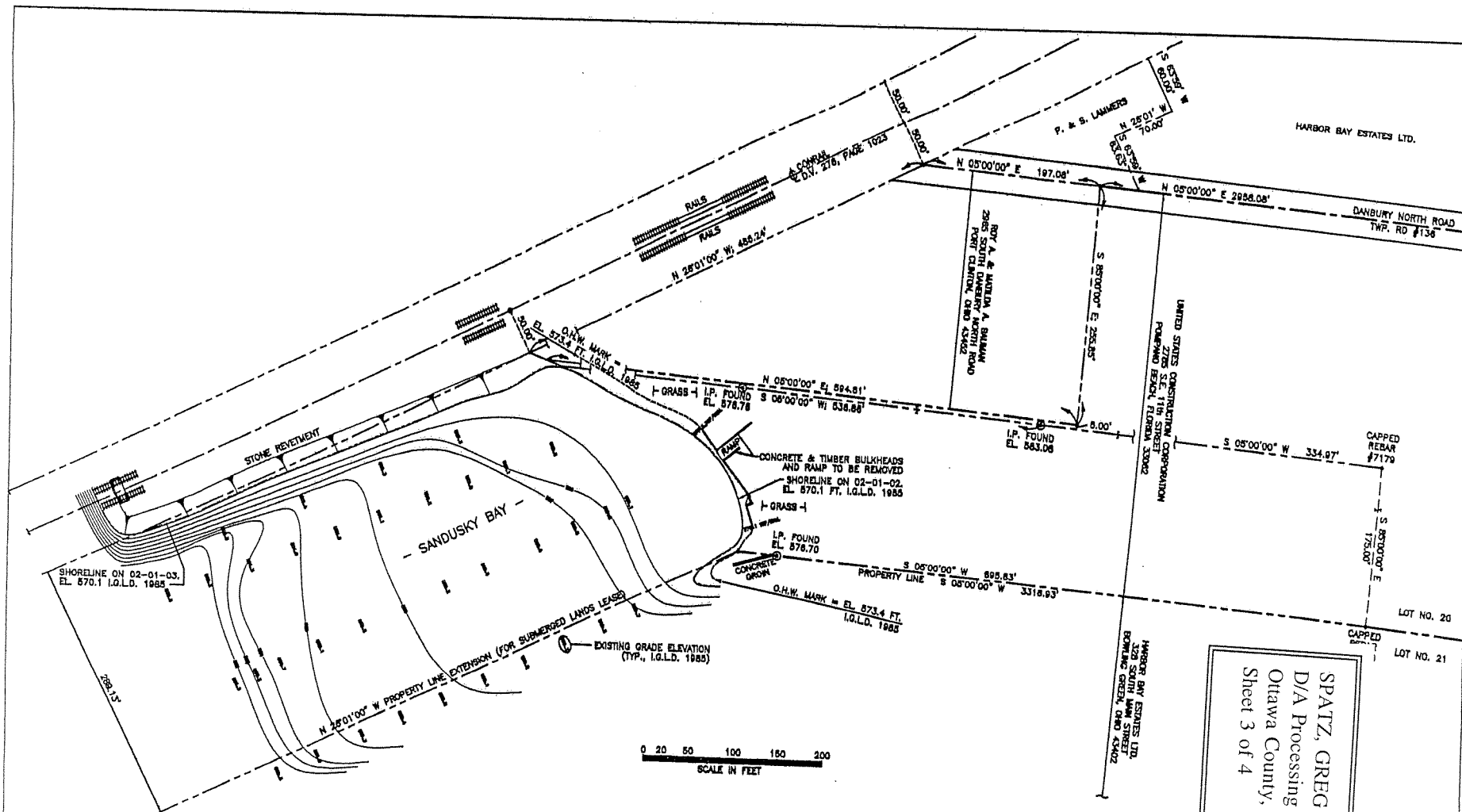
SPATZ, GREG

D/A Processing No. 2002-02678(1)

Ottawa County, Ohio Quad: VICKERY

Sheet 2 of 4

Notice: This rendering is an artistic representation of the actual or final design.



DATUM: 0.0 L.W.D. = 569.2 FT. I.G.L.D. 1985

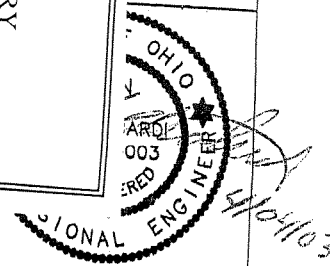
EXISTING SITE PLAN

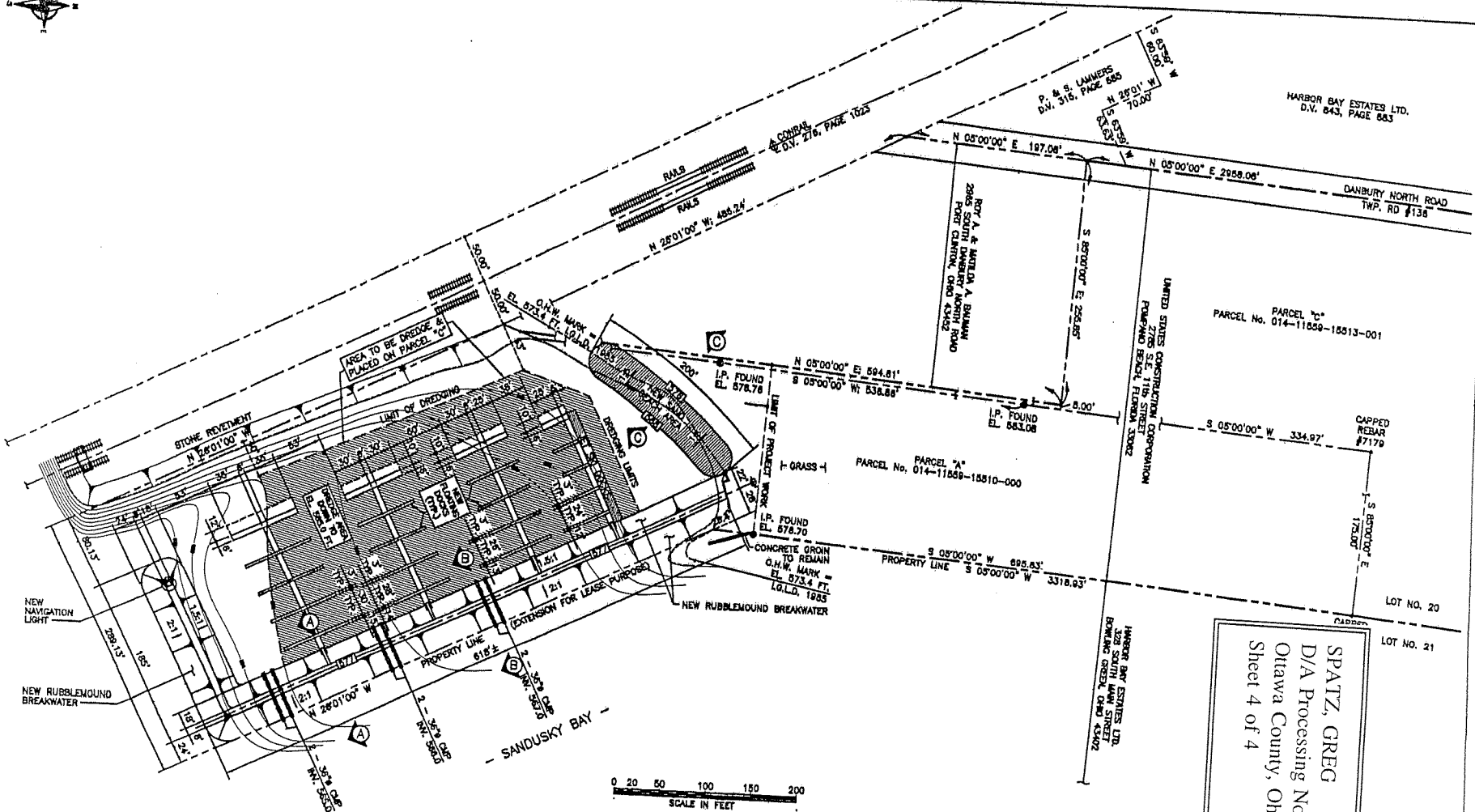
PREPARED BY:
MATRIX ENGINEERING, INC.

UNITED STATES
CONSTRUCTION CORPORATION
2785 S.E. 11th STREET
POMPAHO BEACH, FLORIDA 33062

NEW MARINA AT THE
COVE ON THE BAY DEVELOPMENT
MARBLEHEAD, OHIO

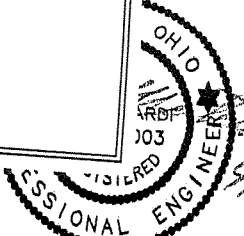
SHEET 2 OF 6
REV. DATE: 04-04-03





SPATZ, GREG
D/A Processing No. 2002-02678(1)
Ottawa County, Ohio Quad: VICKERY
Sheet 4 of 4

IRINA CAPACITY	NOTH NUMBER
SLIP	OF SLIPS
25'	20
30'	30
35'	20
TOTAL	70



DATUM: 0.0 L.W.D. = 569.2 FT. I.G.L.D. 1985		SITE PLAN		PREPARED BY: MATRIX ENGINEERING, INC.	
ADJACENT PROPERTY OWNERS: 1.) HARBOR BAY ESTATES LTD. 2.) ROY A. & MATILDA A. BAUMAN		UNITED STATES CONSTRUCTION CORPORATION 2785 S.E. 11th STREET POMPAHO BEACH, FLORIDA 33062		NEW MARINA AT THE COVE ON THE BAY DEVELOPMENT MARBLEHEAD, OHIO	
		SHEET 3 OF 6		DATE 04-09-03	